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In re Application of :
Beaudoin et al :
Serial No. 09/830,146 : DECISION ON PETITION
Filing Date: July 25, 2001 :
Attorney Docket No.: 789-47 :

This is in response to applicant's "Petition for Acceptance of Date and Mailing of Response to Office Action under 37 CFR 1.8 and/or For Revival of Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b)" filed October 23, 2003. The delay is regretted.

On February 25, 2003, an Office action was mailed. On August 25, 2003, a response with a request for a retroactive extension of time of three months was filed. However, the response was inadvertently addressed to zip code 22313-459, but was clearly addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA.

Applicant's statement and evidence show that a response was filed on August 25, 2003. An extension fee was charged on September 4, 2003 indicating that the Office had received the response. The response is considered to be timely filed. Accordingly, the petition is granted. The instant application has been returned to pending status and will be forwarded to examiner for consideration of the response.

Petition Granted.


Bruce Kisliuk
Director, TC1600